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Governor

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Protection Cabinet

Larry R. Bond  
Commissioner  
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Commonwealth of Kentucky  
**Public Service Commission**  
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Mark David Goss  
Chairman

John W. Clay  
Vice Chairman

Caroline Pitt Clark  
Commissioner

March 3, 2008

## PARTIES OF RECORD

Re: Case No. 2007-00004

Attached is a copy of the memorandum which is being filed in the record of the above-referenced case. If you have any comments you would like to make regarding the contents of the informal conference memorandum, please do so within 7 days of the date of this letter. If you have any questions, please contact Tiffany Bowman at 502/564-3940, Ext. 465.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read "Beth O'Donnell".

Beth O'Donnell  
Executive Director

Attachment

## INTRA-AGENCY MEMORANDUM

### KENTUCKY PUBLIC SERVICE COMMISSION

**TO:** File

**FROM:** Tiffany Bowman  
Staff Attorney

**DATE:** March 3, 2008

**RE:** Case No. 2007-00004  
Memorandum for Informal Conference held on February 28, 2008

An informal conference was held on February 28, 2008 at the Commission's offices in Frankfort, Kentucky. Present were members of Commission Staff and representatives for the Complainants, Brandenburg Telephone Company, Duo County Telephone Cooperative Corporation, Inc., Highland Telephone Cooperative, Inc., Mountain Rural Telephone Cooperative Corporation, Inc., North Central Telephone Cooperative Corporation, South Central Rural Telephone Cooperative Corporation, Inc., and West Kentucky Rural Telephone Cooperative Corporation, Inc. ("the RLECs"), the defendant, Windstream East, and the Intervenors, T-Mobile, Nuvox, Xpedius (TimeWarner) and Sprint/Nextel. TDS, although not a party, also participated. The attendance list is attached to this memorandum and is incorporated herein by reference. Attendees participated by phone, as well as in person.

The purpose of this conference was to discuss the billing data records maintained by Windstream for the transit traffic generated by the RLECs after the submission of Windstream's tariff in December 2006. The RLECs stated, in part, their position on the billing concerns in relation to the new tariff. The RLECs stated that a central issue to be addressed in this complaint is the proposal of a fair method for compensation to Windstream in light of changes in recent years to the territory covered by other local exchange carriers.

Windstream proposed developing a procedural schedule in this matter, which would encourage possible negotiations between the complainants and the defendant.

The parties discussed the fact that the Windstream tariff, as presented, is possibly the first of its kind and in being so raises a significant question regarding to whom and how the tariff should be applied. Commission Staff, in reference to Appendix B of Windstream's December 4, 2007 filing, presented the question of whether a mislabeling had occurred in the billing data provided by Windstream. The parties responded and stated that the question of mislabeling is part of the larger question of tariff applicability and traffic tracking.

Intra-Agency Memorandum  
March 3, 2008  
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The RLECs and Windstream agreed to submit a joint status update within two weeks. Commission Staff stated that an Order would be issued outlining a definite date for submission of the update and scheduling a second informal conference.

There being no further items for consideration, the informal conference thereafter adjourned.

Attachment

cc: Parties of Record

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

CASE NO. 2007-00004

BRANDENBURG TELEPHONE COMPANY; DUO COUNTY TELEPHONE COOPERATIVE CORPORATION, INC.; HIGHLAND TELEPHONE COOPERATIVE, INC.; MOUNTAIN RURAL TELEPHONE COOPERATIVE CORPORATION, INC.; NORTH CENTRAL TELEPHONE COOPERATIVE CORPORATION; SOUTH CENTRAL RURAL TELEPHONE COOPERATIVE CORPORATION, INC.; AND WEST KENTUCKY RURAL TELEPHONE COOPERATIVE CORPORATION, INC. (COMPLAINANTS) V. WINDSTREAM KENTUCKY EAST, INC. (DEFENDANT)

SIGN IN

February 28, 2008

PERSON	REPRESENTING
Tiffany Bowman	PSC
Bruce Mottern	TDS
Doug Brent	Imobile, NuVox, Xpedition (Time Warner)
Doug Nelson	Sprint/Nextel
Johnny Bennett	South Central Rural
Max <del>James</del> Phelps	South Central
Chris Lawrence	South Central
Jack Hughes	Sprint/Nextel
Eileen Bodemer	North Central
Steve Watkins	Rural Consultant
Marty Clift	West Kentucky
Attondon Gillum	Mountain Telephone

PERSON

Kandall Bradley  
Mark Overstreet  
Allison Willoby  
Shane Ison  
Angie Pennington  
Cory Edoukowitz  
Tipp Dapp  
John Selent  
Bill Magruder  
Jim STEVENS  
Daniel Logsdun  
Kyle Waller

REPRESENTING

Brandenburg  
Windstream  
Brandenburg  
Mountain  
Mountain Rural  
PSC  
RLEC's Dinsmore  
RLEC's Dinsmore  
RLEC's Dub County  
PSC  
Windstream  
PSC Staff